

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
PECOS DIVISION**

JUAN OREJEL,

卷之三

Plaintiff,

2003

VS.

288

AHMED J. ALWAN, and,
HORIZON LOGISTICS, LLC,

2000

Defendants.

8

Cause No. 4:22-CV-16

NOTICE OF REMOVAL UNDER 28 U.S.C. §1441(b) and 28 U.S.C. §1332(a)(1)
(Diversity of Citizenship)

Defendants Ahmed J. Alwan and Horizon Logistics, LLC file this Notice of Removal, removing Cause No.5825 from the 205th Judicial District, Culberson County Texas, to this Court pursuant to 28 U.S.C. §§ 1441(b) and 28 U.S.C. §1332(a)(1). The grounds for removal are as follows:

FACTS

1. Plaintiff filed his Original Petition in the 205th Judicial District Court March 24, 2022. (Original Petition, Appendix A) Citations were issued March 28, 2022, and the Petition was served on Defendant Horizon Logistics, LLC through its registered agent on April 2, 2022 and on Defendant Ahmed J. Alwan individually on April 2, 2022. (Citations, Appendix A)
 2. Plaintiff Juan Orejel is a resident, and therefore a citizen, of Culberson County, Texas. (Original Petition, Appendix A, p. 1, ¶ 1)

3. Defendant Ahmed J. Alwan is an individual residing in Tempe, Arizona and therefore is a citizen of Arizona. (Original Petition, Appendix A, p. 1, ¶ 2)

4. Defendant Horizon Logistics, LLC is a corporation formed under the laws of and incorporated in the state of Arizona, and has its principal place of business in Arizona. (Original Petition, Appendix A, p. 2, ¶ 3) It therefore is a resident and citizen of the state of Arizona. Horizon Logistics, LLC has only one member, Ahmed J. Alwan. Plaintiff acknowledges through his pleading that Ahmed J. Alwan is an individual residing in Tempe, Arizona and therefore is a citizen of Arizona. (Original Petition, Appendix A, p. 1, ¶ 2) Moreover, Ahmed J. Alwan resides and is domiciled at 30 W. Carter Dr. Apt. 8-209, Tempe Arizona, 85282.

5. Plaintiff pleads for “monetary relief aggregating more than \$1,000,000.00, excluding costs and pre-judgment interest.” (Original Petition, Appendix A, p. 1, ¶ I).

6. Defendants file this Notice of Removal within 30 days after Defendant Horizon Logistics, LLC and Defendant Ahmed J. Alwan received Plaintiff’s initial pleading.

7. Pursuant to 28 U.S.C. § 1446(a) all process, pleadings and orders filed in the state court action as well as the docket sheet are attached jointly as Appendix A and incorporated herein by reference.

8. This case therefore meets the requirements of 28 U.S.C. §§ 1441(b) and 28 U.S.C. §1332(a)(1) to establish diversity jurisdiction in this Court.

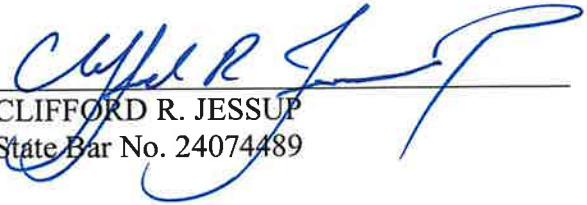
9. Accordingly, Defendants request that this Notice of Removal be received and filed, that the 205th Judicial District Court of Culberson County, Texas proceed no further, and that this cause be removed to this Court for all further proceedings.

Respectfully submitted,

**ROBLES BRACKEN & HUGHES,
PLLC**

Attorneys for Defendants
310 N. Mesa, Suite 700
El Paso, Texas 79901-1364
(915) 544-1144 [Office]
(915) 544-1288 [Facsimile]
Email:

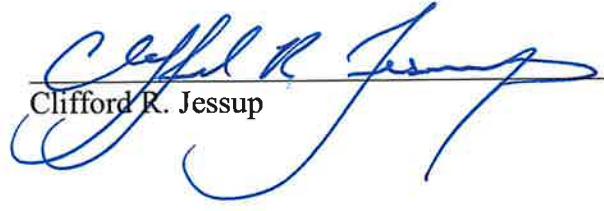
By:


CLIFFORD R. JESSUP
State Bar No. 24074489

CERTIFICATE OF SERVICE

I hereby certify that on this 25 day of April, 2022, a true and correct copy of the foregoing document was filed with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following known counsel of record:

Charles Ruhmann IV
The Ruhmann Law Firm
5915 Silver Springs, Bldg. 1
El Paso, Texas 79912
(Office) 915-845-4529
(Fax) 915-845-4534


Clifford R. Jessup

Date Printed: Thu Apr 21 14:51:29 CDT 2022

Case Summary

Cause Number: 5825

Last Filed:03/24/2022

Style: JUAN OREJEL VS. AHMED J. ALWAN AND HORIZON LOGISTICS, LLC

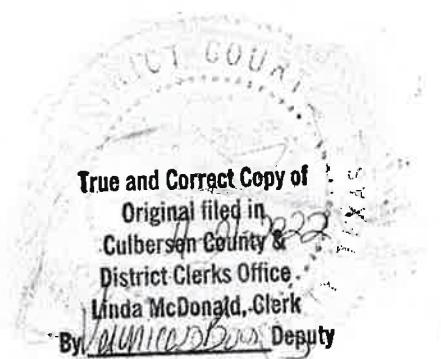
Case Type: INJURY OR DAMAGE INVOLVING VEH

Category: Civil

Court: 205th District Court

Event(s) of Case: 5825

#	Type	Date/Time	Description
1.	PETITION	03/24/2022	Plaintiff's Original Petition 3.24.22 - **CLERKS NOTE: DOCUMENTS ARE NO LONGER BEING PRINTED OUT.**
2.	CITATION	03/28/2022	CITATION/AHMED J. ALWAN, EMAILED TO cruhmann@ruhmannlaw.com as requested.
3.	CITATION	03/28/2022	CITATION/Horizon Logistics, LLC, emailed to cruhmann@ruhmannlaw.com as requested.
4.	ANSWER	04/12/2022	220412; D Alwan's OA - EFiled on 04/12/2022. Submitted by Lilly Gomez (lgomez@rbch.net)
5.	ANSWER	04/12/2022	220412; D Horizon's OA - EFiled on 04/12/2022. Submitted by Lilly Gomez (lgomez@rbch.net)



True and Correct Copy of

Original filed in

Culberson County &

District Clerks Office

Linda McDonald, Clerk

By Deputy

Linda S. McDonald

JUAN OREJEL,
Plaintiff,

v.

AHMED J. ALWAN, and
HORIZON LOGISTICS, LLC,
Defendants.

Cause No. 5825

PLAINTIFF'S ORIGINAL PETITION

TO THE HONORABLE JUDGE OF SAID COURT:

Comes now, JUAN OREJEL, hereinafter referred to as Plaintiff, complaining about Defendants, AHMED J. ALWAN and HORIZON LOGISTICS, LLC, (hereinafter collectively referred to as "Defendants"), and for cause of action respectfully shows as follows.

I. DISCOVERY CONTROL PLAN

Plaintiff designates this case as Level 3. Plaintiff affirmatively pleads that he seeks monetary relief aggregating more than \$1,000,000.00, excluding costs and pre-judgment interest.

II. JURISDICTION AND VENUE

This court has jurisdiction and venue is proper in Culberson County, the subject automobile collision occurred in Culberson County, Texas.

III. PARTIES AND SERVICE.

1. Plaintiff **JUAN OREJEL** brings this action individually and resides in Culberson County, Texas.
2. Defendant **AHMED J. ALWAN** is an individual non-resident of Texas who upon information and belief may be served through process by serving his residence in Maricopa County at 30 W Carter Dr. Apt 8-209, Tempe, Arizona 85282, and/or through the Chairman of the Texas

True and Correct Copy of
 Original filed
 Culberson County &
 District Clerks Office
 Linda McDonald, Clerk
 By Linda S. McDonald Deputy

Transportation Commission at 125 East 11th Street, Austin, Texas 787014-2489, or wherever else he may be found.

3. Defendant **HORIZON LOGISTICS, LLC**, is a federally licensed motor carrier organized as a limited liability corporation that is organized under the laws of the State of Arizona and may be served with process through its registered agent for service of process, “#1 A+ AGENTS OF PROCESS INC.,” via its agent, John C. Sims, at 1205 Broadway, Lubbock, Texas, 79408 or wherever else he or any other agent for service of process of said company may be found.

Alternatively, Defendant **HORIZONS LOGISTICS, LLC**, can be served with process through its other registered agent, Ahmed J. Alwan, at 30 W Carter Dr. Apt 8-209, Tempe, Arizona 85282, or wherever else he or any other agent for service of process of said company may be found.

IV.
FACTS

On or about October 30, 2020, Plaintiff was driving his vehicle, a red, 2012 Chevrolet Cruze southbound on U.S. Highway 90 near the intersection of East Gramma Street, in a reasonable and prudent manner, exercising ordinary care for his safety and the safety of others. At the same time, Defendant **AHMED J. ALWAN** was driving a yellow, 2012 Freightliner Cascadia 125 tractor, pulling a commercial trailer eastbound on E. Gramma Street near the intersection of U.S. Highway 90. As the vehicles approached the intersection, Defendant **AHMED J. ALWAN** made an improper turn and failed to yield the right of way to Plaintiff. As a result of Defendant **AHMED J. ALWAN**’s negligence and/or gross negligence, Plaintiff was forced into a collision with the commercial trailer Defendant **AHMED J. ALWAN** was pulling. As a result of Defendants’ negligent conduct resulting this collision, Plaintiff sustained substantial physical injuries and damages.

True and Correct Copy of
Original filed in
Cumberland County &
District Clerks Office
Linda McDonald, Clerk
By *Linda McDonald* Deputy

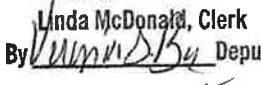
V.
NEGLIGENCE BY DEFENDANT AHMED J. ALWAN

Defendant **AHMED J. ALWAN**, individually and/or while acting within the scope and authority of his employment with **HORIZONS LOGISTICS, LLC**, was negligent in the following respects:

- a. by failing to control the speed of the commercial tractor-trailer he was operating;
- b. by driving the commercial tractor-trailer at a speed that was unsafe for the traffic conditions that existed at the time;
- c. by failing to apply the brakes to avoid the subject collision;
- d. by failing to exercise ordinary care for the safety of others;
- e. by failing to keep the commercial tractor-trailer under proper control;
- f. by operating the commercial tractor-trailer in a negligent manner;
- g. driver inattention;
- h. upon information and belief, by operating a commercial tractor-trailer while fatigued;
- i. upon information and belief, by operating the commercial tractor trailer in violation of the FMCSA's regulations, including, but not limited to the regulations that governed his permissible hours of service;
- j. by failing to properly maintain and/or inspect the commercial tractor-trailer, and/or by operating it in a defective or unsafe condition; and
- k. by failing to keep a proper lookout.

Each of the aforementioned negligent acts or omissions by Defendant **AHMED J. ALWAN**, taken singularly and/or in any combination, individually and/or collectively and/or cumulatively with the acts and/or omissions of the other Defendants, constituted a proximate cause of the collision, and thus the resulting damages and injuries suffered by Plaintiff.

Additionally, Defendant **HORIZONS LOGISTICS, LLC**, is vicariously liable for the

True and Correct Copy of
Original filed in
Cumberland County &
District Clerks Office
Linda McDonald, Clerk
By  Deputy

negligent and/or grossly negligent acts or omissions of its employee, Defendant **AHMED J. ALWAN**, via the doctrine of *respondeat superior* and/or other law.

VI.

NEGLIGENCE BY DEFENDANT HORIZONS LOGISTICS, LLC

In furtherance of and in conjunction with paragraphs IV and V, and/or in the alternative, Defendant **HORIZONS LOGISTICS, LLC**, was negligent in the following respects:

- a. vicariously, through the doctrine of *respondeat superior* and/or other law, and by and through the negligent acts and/or omissions of its employee, Defendant **AHMED J. ALWAN**;
- b. by permitting, encouraging, and/or requiring Defendant **AHMED J. ALWAN** to operate a commercial tractor-trailer while fatigued;
- c. by permitting, encouraging, and/or requiring Defendant **AHMED J. ALWAN** to operate a commercial tractor-trailer in violation of the FMCSA's regulations, including but not limited to the regulations that governed his permissible hours of service;
- d. by permitting, encouraging, and/or requiring Defendant **AHMED J. ALWAN** to operate a commercial tractor-trailer despite that he was unfit and/or unqualified to operate a commercial tractor-trailer;
- e. by failing to follow the management practices required of motor carriers by the FMCSA's regulations;
- f. by failing to properly maintain and/or inspect the commercial tractor-trailer;
- g. by permitting, encouraging, and/or requiring Defendant **AHMED J. ALWAN** to operate the commercial tractor-trailer in a defective or unsafe condition;
- h. by permitting, encouraging, and/or requiring Defendant **AHMED J. ALWAN** to operate the commercial truck in violation of the Federal Motor Carrier Safety Administration's regulations including, but not limited to those concerning maintenance and/or inspection of tractors and trailers and their component parts;
- i. by failing to adequately maintain, audit, and periodically review the trip, duty, hours of service, vehicle, and other related records required of motor carriers and commercial truck drivers by the FMCSA;
- j. By failing to properly train its employee, **AHMED J. ALWAN**, about the rules of the road and safe driving, and

True and Correct Copy of
Original filed in
Calhoun County &
District Clerks Office
Linda McDonald, Clerk
By *[Signature]* Deputy

- k. other negligent acts omissions.

Each of the aforementioned negligent acts or omissions by Defendant **HORIZONS LOGISTICS, LLC**, taken singularly and/or in any combination, individually and/or collectively and/or cumulatively with the acts and/or omissions of the other Defendants, constituted a proximate cause of the subject automobile collision, and thus the resulting damages and injuries suffered by Plaintiff.

VII.
PLAINTIFF'S DAMAGES

As a direct and proximate result of the occurrence made the basis of this lawsuit, Plaintiff incurred the following damages:

1. reasonable medical care and expenses in the past. These expenses were incurred by Plaintiff for the necessary care and treatment of the injuries resulting from the accident complained of herein and such charges are reasonable and were usual and customary charges for such services in the county where they were incurred.
2. reasonable and necessary medical care and expenses which will in all reasonable probability be incurred in the future;
3. physical pain and suffering in the past;
4. physical pain and suffering in the future;
5. physical disfigurement in past and future;
6. mental anguish in past and future;
7. physical impairment in past and future;
8. lost wages in the past and loss of earning capacity in the future; and
9. property damage.

By reason of all of the above, Plaintiff suffered losses and damages in a sum within the jurisdictional limits of the Court and for which this lawsuit is brought.

True and Correct Copy of
Original filed in
Calhoun County &
District Clerks Office
Linda McDonald, Clerk
By *Linda McDonald* Deputy

VIII.
RULE 193.7 NOTICE

Pursuant to Rule 193.7 of the Texas Rules of Civil Procedure, Plaintiff hereby gives actual notice to Defendants that any and all documents and materials produced in response to written discovery may be used as evidence in this case; and, that any such materials may be used as evidence against the party producing the document at any pretrial proceeding and/or at the trial of this matter without the necessity of authenticating the document and/or materials produced in discovery.

IX.
JURY DEMAND

Plaintiff hereby demands a jury trial regarding all issues of fact presented in this action, pursuant to the Rule 216 of the Texas Rules of Civil Procedure.

X.
PLAINTIFF'S PRAYER FOR RELIEF

Wherefore, premises considered, Plaintiff respectfully prays that Defendants be cited to appear and answer herein, and that upon a final hearing of the cause, judgment be entered for Plaintiff against Defendants, individually, collectively and/or in any combination, awarding damages in an amount within the jurisdictional limits of the Court, together with pre-judgment interest (as allowed by law) at the maximum rate allowed by law, post-judgment interest at the legal rate, costs of court; and such other and further relief to which the Plaintiff may be entitled at law or in equity.

Respectfully Submitted,

RUHMAN LAW FIRM
5915 Silver Springs, Bldg. 1
El Paso, Texas 79912
(915) 845-4529
(915) 845-4534 Fax

By: Charles Ruhmann, IV
CHARLES J. RUHMANN, IV
State Bar No. 24046767
Attorney for Plaintiff

Automated Certificate of eService

This automated certificate of service was created by the efiling system. The filer served this document via email generated by the efiling system on the date and to the persons listed below. The rules governing certificates of service have not changed. Filers must still provide a certificate of service that complies with all applicable rules.

Kathie Gilstrap on behalf of Charles Ruhmann
 Bar No. 24046767
 kgilstrap@ruhmannlaw.com
 Envelope ID: 62934023
 Status as of 3/25/2022 3:20 PM CST

Associated Case Party: Juan Orejel

Name	BarNumber	Email	TimestampSubmitted	Status
Kathie Gilstrap		kgilstrap@ruhmannlaw.com	3/24/2022 3:44:55 PM	SENT
Jannheli Perez		jperez@ruhmannlaw.com	3/24/2022 3:44:55 PM	SENT
Charles J.Ruhmann		cruhmann@ruhmannlaw.com	3/24/2022 3:44:55 PM	SENT
Ivan Marquez		imarquez@ruhmannlaw.com	3/24/2022 3:44:55 PM	SENT

True and Correct Copy of
 Original filed in
 Culberson County &
 District Clerk's Office
 Linda McDonald, Clerk
 By  Deputy

CITATION

CLERK OF THE COURT,
Linda McDonald,
District Clerk
P. O. Box 158/300 La Caverna
Van Horn, Texas 79855
linda.mcdonald@co.culberson.tx.us

Attorney for Plaintiff
RUHMANN LAW FIRM
Charles J. Ruhmann, IV
5915 Silver Springs, Bldg. 1
El Paso, Texas 79912
cruhmann@ruhmannlaw.com

THE STATE OF TEXAS

NOTICE TO DEFENDANT: "You have been sued. You may employ an attorney. If you or your attorney do not file a written answer with the clerk who issued this citation by 10:00 a.m. on the Monday next following the expiration of twenty days after you were served this citation and petition, a default judgment may be taken against you." In addition to filing a written answer with the Clerk, you may be required to make initial disclosures to the other parties of this suit. These disclosures generally must be made no later than 30 days after you file your answer with the Clerk. Find out more at TexasLawHelp.org.

TO: Ahmed J. Alwan, 30 W Carter Dr., Apt 8-209, Tempe, Arizona 85282, and/or through the Chairman of the Texas Transportation Commission at 125 East 11th Street, Austin, Texas 787014-2489, or wherever else he may be found.

Defendant

GREETINGS: You are commanded to appear by filing a written answer to the PLAINTIFF'S ORIGINAL PETITION at or before 10:00 o'clock a.m. of the Monday next after the expiration of 20 days after the date of service hereof, before the 205TH DISTRICT JUDGE of Texas, at the Courthouse in Van Horn, Texas.

Said Plaintiff's Original Petition was filed on March 24, 2022.

The file number of said suit being 5825

The style of the case is:

Juan Orejel,
vs.
Ahmed J. Alwan, and
Horizon Logistics, LLC

PLAINTIFF
DEFENDANT

True and Correct Copy of
Original filed in
Culberson County &
District Clerks Office
Linda McDonald, Clerk
By Lynnica D. Burrys Deputy

A copy of Plaintiff's Original Petition accompanies this citation.

Issued on March 28, 2022.

GIVEN UNDER MY HAND AND SEAL OF SAID COURT at office in Van Horn, Texas, on March 28, 2022.



(Seal)
By: Lynnica D. Burrys, Deputy

OFFICER'S RETURN(5825) (205th District)

Juan Orejel

Plaintiff

vs.

Ahmed J. Alwan, and Horizon Logistics, LLC

ADDRESS FOR SERVICE:

Ahmed J. Alwan, et al

30 W Carter Dr., Apt 8-209, Tempe, Arizona 85282 and/or
Through the Chairman of the Texas Transportation at;
125 East 11th Street,
Austin, Texas 787014-2489, or wherever else he may be found.

True and Correct Copy of

Original filed in
Cliburn County &
District Clerks Office
Linda McDonald, Clerk
By *Linda McDonald* Deputy

Came to hand on the _____ day of _____, 20_____, at _____, o'clock _____.m., and executed in _____ County, Texas by delivering to each of the within named defendants in person, a true copy of this Citation with the date of delivery endorsed thereon, together with the accompanying copy of the _____, at the following times and places, to-wit:

Name	Date/Time	Place, Course and Distance from Courthouse
_____	_____	_____

And not executed as to the defendant(s), _____

The diligence used in finding said defendant(s) being: _____

and the cause or failure to execute this process is: _____

and the information received as to the whereabouts of said defendant(s) being: _____

FEES:Serving Petition and Copy \$ _____
Total \$ _____

_____, Officer/Constable/Clerk

_____, Printed Name

_____, County, Texas

By: _____, Deputy

_____, Affiant

COMPLETE IF YOU ARE A PERSON OTHER THAN A SHERIFF, CONSTABLE, OR CLERK OF THE COURT.

In accordance with Rule 107: The officer or authorized person who serves, or attempts to serve, a citation shall sign the return. The return must either be verified or be signed under penalty of perjury. A return signed under penalty of perjury must contain the statement below in substantially the following form:

"My name is _____, my date of birth is _____, and my address is
(First, Middle, Last) _____

(Street, City, Zip)

I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE AND CORRECT.

Executed in _____ County, State of _____, on the _____ day of _____.

Declarant/Authorized Process Server

(Id # & expiration of certification)

CITATION

CLERK OF THE COURT

Linda McDonald,
District Clerk
P. O. Box 158/300 La Caverna
Van Horn, Texas 79855
linda.mcdonald@co.culberson.tx.us

Attorney for Plaintiff
RUHMANN LAW FIRM
Charles J. Ruhmann, IV
5915 Silver Springs, Bldg. 1
El Paso, Texas 79912
cruhmann@ruhmannlaw.com

THE STATE OF TEXAS

NOTICE TO DEFENDANT: "You have been sued. You may employ an attorney. If you or your attorney do not file a written answer with the clerk who issued this citation by 10:00 a.m. on the Monday next following the expiration of twenty days after you were served this citation and petition, a default judgment may be taken against you." In addition to filing a written answer with the Clerk, you may be required to make initial disclosures to the other parties of this suit. These disclosures generally must be made no later than 30 days after you file your answer with the Clerk. Find out more at TexasLawHelp.org.

TO: Horizon Logistics, LLC, through its registered agent for service of process, "#1 A+ Agents of Process Inc.," via its agent, John C. Sims, 1205 Broadway, Lubbock Texas 79408 or wherever else he or any other agent for service of process of said company may be found. Alternatively, other registered agent, Ahmed J. Alwan, at 30 W Carter Dr. Apt. 8-209, Tempe, Arizona 85282.

GREETINGS: You are commanded to appear by filing a written answer to the PLAINTIFF'S ORIGINAL PETITION at or before 10:00 o'clock a.m. of the Monday next after the expiration of 20 days after the date of service hereof, before the 205TH DISTRICT JUDGE of Texas, at the Courthouse in Van Horn, Texas.

Said Plaintiff's Original Petition was filed on March 24, 2022.

The file number of said suit being 5825

The style of the case is:

Juan Orejel,
vs.
Ahmed J. Alwan, and
Horizon Logistics, LLC

PLAINTIFF
DEFENDANT

True and Correct Copy of
Original filed in
Culberson County &
District Clerks Office
Linda McDonald, Clerk
By Vernice D. Berry Deputy

A copy of Plaintiff's Original Petition accompanies this citation.
Issued on March 28, 2022.

GIVEN UNDER MY HAND AND SEAL OF SAID COURT, at office in Van Horn, Texas, on March 28, 2022.



(Seal) By: Vernice D. Berry Deputy

OFFICER'S RETURN(5825) (205th District)

Juan Orejel

Plaintiff

vs.

Ahmed J. Alwan, and Horizon Logistics, LLC

ADDRESS FOR SERVICE:

Horizon Logistics, LLC

Registered Agent, "#1 A+ Agents of Process Inc.", via its agent, John C. Sims, 1205 Broadway, Lubbock, Texas 79408.

Alternatively, Ahmed J. Alwan, 30 W Carter Dr., Apt 8-209, Tempe, Arizona 85282, or wherever else he or any other agent for service of process of said company may be found.

True and Correct Copy of
 Original filed in
 Culberson County &
 District Clerk's Office
 Linda McDonald, Clerk
 By [Signature] Deputy

Came to hand on the _____ day of _____, 20_____, at _____, o'clock _____.m., and executed in _____ County, Texas by delivering to each of the within named defendants in person, a true copy of this Citation with the date of delivery endorsed thereon, together with the accompanying copy of the _____, at the following times and places, to-wit:

Name	Date/Time	Place, Course and Distance from Courthouse

And not executed as to the defendant(s), _____

The diligence used in finding said defendant(s) being:

and the cause or failure to execute this process is:

and the information received as to the whereabouts of said defendant(s) being:

FEES:

Serving Petition and Copy \$ _____
 Total \$ _____

_____, Officer/Constable/Clerk

_____, Printed Name

_____, County, Texas

By: _____, Deputy

_____, Affiant

COMPLETE IF YOU ARE A PERSON OTHER THAN A SHERIFF, CONSTABLE, OR CLERK OF THE COURT.

In accordance with Rule 107: The officer or authorized person who serves, or attempts to serve, a citation shall sign the return. The return must either be verified or be signed under penalty of perjury. A return signed under penalty of perjury must contain the statement below in substantially the following form:

"My name is _____, my date of birth is _____, and my address is _____
 (First, Middle, Last)

(Street, City, Zip)

I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE AND CORRECT.

Executed in _____ County, State of _____, on the _____ day of _____.

 Declarant/Authorized Process Server

 (Id # & expiration of certification)

Linda S. McDonald

IN THE 205TH DISTRICT COURT
CULBERSON COUNTY, TEXAS

JUAN OREJEL

卷之三

Plaintiff,

CAUSE NO. 5825

VS.

**AHMED J. ALWAN AND HORIZON
LOGISTICS, LLC**

Defendant.

DEFENDANT AHMED J. ALWAN'S
ORIGINAL ANSWER

TO THE HONORABLE JUDGE OF SAID COURT:

COMES NOW, Ahmed J. Alwan, Defendant herein, and files this, his Original Answer in reply to Plaintiff's Original Petition, and would respectfully show the Court as follows:

L₁

GENERAL DENIAL

Defendant enters his appearance pursuant to Rule 92 of the Texas Rules of Civil Procedure and demands strict proof of all allegations.

III.

Defendant hereby requests a trial by jury.

xii

Defendant reserves the right to amend this Answer at a later date.

True and Correct Copy of
Original filed in
W. W. B.
Culpeper County &
District Clerks Office
Linda McDonald, Clerk
By *Linda McDonald* Deputy

WHEREFORE, PREMISES CONSIDERED, Defendant prays that Plaintiff take nothing by this lawsuit, that Defendant recover its costs and have such other and further relief to which it is justly entitled.

Respectfully submitted,

ROBLES BRACKEN & HUGHES, PLLC

Attorneys for *Ahmed J. Alwan*

310 N. Mesa, Suite 700

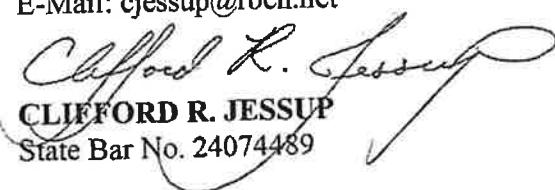
El Paso, Texas 79901-1364

(915) 544-1144 [Office]

(915) 544-1288 [Facsimile]

E-Mail: cjessup@rbch.net

/s/


CLIFFORD R. JESSUP

State Bar No. 24074489

True and Correct Copy of

Original filed in

Linda McDonald
Cameron County &

District Clerks Office

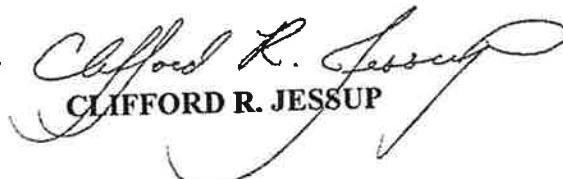
Linda McDonald
Linda McDonald Clerk

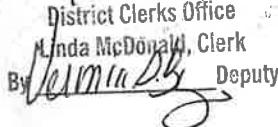
By *Devin Miller* Deputy

CERTIFICATE OF SERVICE

I hereby certify that on April 12, 2022, I served the foregoing document by email to the following Attorneys.

Charles Rhumann, IV
Ruhmann Law Firm
5915 Silver Springs, Bldg. 1
El Paso, Texas 79912
Facsimile No. 915-845-4534
E-Mail: cruhmann@ruhmannlaw.com

/s/ 
CLIFFORD R. JESSUP

True and Correct Copy of
Original filed in
El Paso County &
District Clerks Office
Linda McDonald, Clerk
By  Deputy

Automated Certificate of eService

This automated certificate of service was created by the efiling system. The filer served this document via email generated by the efiling system on the date and to the persons listed below. The rules governing certificates of service have not changed. Filers must still provide a certificate of service that complies with all applicable rules.

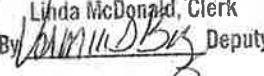
Lilly Gomez on behalf of Clifford Jessup
 Bar No. 24074489
 lgomez@rbch.net
 Envelope ID: 63517659
 Status as of 4/13/2022 8:48 AM CST

Associated Case Party: Juan Orejel

Name	BarNumber	Email	TimestampSubmitted	Status
Charles J.Ruhmann		cruhmann@ruhmannlaw.com	4/12/2022 6:20:55 PM	SENT
Ivan Marquez		imarquez@ruhmannlaw.com	4/12/2022 6:20:55 PM	SENT
Kathie Gilstrap		kgilstrap@ruhmannlaw.com	4/12/2022 6:20:55 PM	SENT
Jannheli Perez		jperez@ruhmannlaw.com	4/12/2022 6:20:55 PM	ERROR

Case Contacts

Name	BarNumber	Email	TimestampSubmitted	Status
Liliana Gomez		lgomez@rbch.net	4/12/2022 6:20:55 PM	SENT
Clifford R.Jessup		cjessup@rbch.net	4/12/2022 6:20:55 PM	SENT
Filing C		filingc@rbch.net	4/12/2022 6:20:55 PM	SENT

True and Correct Copy of
 Original filed in
 Cullinan County &
 District Clerks Office
 Linda McDonald, Clerk
 By  Deputy

Linda S. McDonald

IN THE 205TH DISTRICT COURT
CULBERSON COUNTY, TEXAS**JUAN OREJEL**

§

Plaintiff,

§

VS.

CAUSE NO. 5825

**AHMED J. ALWAN AND HORIZON
LOGISTICS, LLC**

§

Defendant.

**DEFENDANT HORIZON LOGISTICS LLC'S
ORIGINAL ANSWER****TO THE HONORABLE JUDGE OF SAID COURT:**

COMES NOW, Horizon Logistics LLC, Defendant herein, and files this, its Original Answer in reply to Plaintiff's Original Petition, and would respectfully show the Court as follows:

I.

GENERAL DENIAL

Defendant enters its appearance pursuant to Rule 92 of the Texas Rules of Civil Procedure and demands strict proof of all allegations.

II.

SPECIAL EXCEPTIONS

Defendant specially excepts to Plaintiff's Original Petition, Paragraph VI(K) in that Plaintiff alleges that this Defendant committed "other negligent acts and omissions..." Defendant would show that this pleading is wholly vague and ambiguous, and fails to give this Defendant proper

True and Correct Copy of
Original filed in
Culberson County &
District Clerks Office.
Linda McDonald Clerk
By *Linda S. McDonald* Deputy

notice of what acts or omissions are being alleged against her. Defendant requests that this pleading be stricken in its entirety.

III.

Defendant hereby requests a trial by jury.

IV.

Defendant reserves the right to amend this Answer at a later date.

WHEREFORE, PREMISES CONSIDERED, Defendant prays that Plaintiff take nothing by this lawsuit, that Defendant recover its costs and have such other and further relief to which it is justly entitled.

Respectfully submitted,

ROBLES BRACKEN & HUGHES, PLLC

Attorneys for *Horizon Logistics*

310 N. Mesa, Suite 700

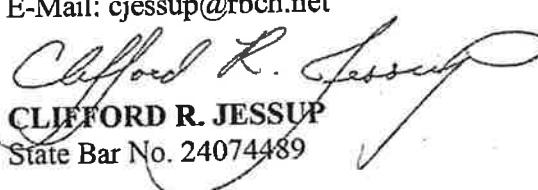
El Paso, Texas 79901-1364

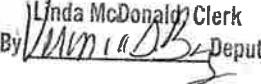
(915) 544-1144 [Office]

(915) 544-1288 [Facsimile]

E-Mail: cjesup@rbch.net

/s/

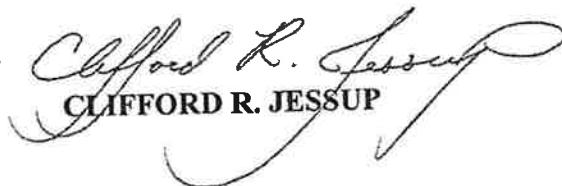

CLIFFORD R. JESSUP
State Bar No. 24074489

True and Correct Copy of
Original filed in
Culver City County &
District Clerks Office
Linda McDonald Clerk
By  Deputy

CERTIFICATE OF SERVICE

I hereby certify that on April 12, 2022, I served the foregoing document by email to the following Attorneys.

Charles Rhumann, IV
Ruhmann Law Firm
5915 Silver Springs, Bldg. 1
El Paso, Texas 79912
Facsimile No. 915-845-4534
E-Mail: cruhmann@ruhmannlaw.com

/s/ 
CLIFFORD R. JESSUP

True and Correct Copy of
Original filed in
Culberson County &
District Clerks Office
Linda McDonald, Clerk
By  Deputy

Automated Certificate of eService

This automated certificate of service was created by the efiling system. The filer served this document via email generated by the efiling system on the date and to the persons listed below. The rules governing certificates of service have not changed. Filers must still provide a certificate of service that complies with all applicable rules.

Lilly Gomez on behalf of Clifford Jessup
 Bar No. 24074489
 lgomez@rbch.net
 Envelope ID: 63517659
 Status as of 4/13/2022 8:48 AM CST

Associated Case Party: Juan Orejel

Name	BarNumber	Email	TimestampSubmitted	Status
Charles J.Ruhmann		cruhmann@ruhmannlaw.com	4/12/2022 6:20:55 PM	SENT
Ivan Marquez		imarquez@ruhmannlaw.com	4/12/2022 6:20:55 PM	SENT
Kathie Gilstrap		kgilstrap@ruhmannlaw.com	4/12/2022 6:20:55 PM	SENT
Jannheli Perez		jperez@ruhmannlaw.com	4/12/2022 6:20:55 PM	ERROR

Case Contacts

Name	BarNumber	Email	TimestampSubmitted	Status
Liliana Gomez		lgomez@rbch.net	4/12/2022 6:20:55 PM	SENT
Clifford R.Jessup		cjessup@rbch.net	4/12/2022 6:20:55 PM	SENT
Filing C		filingc@rbch.net	4/12/2022 6:20:55 PM	SENT

True and Correct Copy of
 Original filed in
 Calcasieu Parish
 District Clerk's Office
 Linda McDonald, Clerk
 Deputy
